

SP 28.2 Insurance and Indemnification

Substantive changes made for the 4-3-06 revision:

1. Adds a definition for “Risk”.
2. Changes “Integrated Contractor Orders” to “DOE Contractor Orders” to be consistent with SP 8.4.
3. Clarifies where insurance and indemnification clauses can be found.
4. Deletes the reference to “Labor-Only construction subcontract” in the first bullet of “Subcontractor Use of Government Vehicles” section because we no longer have a labor-only subcontract, and if we ever do again, we won’t necessarily provide the subcontractor with vehicles.
5. Deletes “explosives” from the “University Furnished Government Property” because we do not purchase explosives at LBNL.
6. At the request of LBNL’s Risk Manager, deletes supplemental labor subcontract subcontracts and umbrella/excess liability insurance policies from the list of insurance and indemnification issues requiring consultation with the Risk Manager.
7. Throughout the SP, deletes references to procedures involving the “Certificate Administrator” and the “FoxPro/Master File” because we no longer have this system. The SP states that the procurement specialist is responsible for obtaining and filing insurance certificates.
8. Updates the RESPONSIBILITIES to be consistent with the changes above.
9. Deletes “Painting projects under \$2000” from the list of designated services, because painting at all dollar levels is handled as a construction service.
10. Corrects the Prime Contract number in the “Nuclear Hazards Indemnity” and REFERENCES sections.
11. Changes “insurance to cover alleged professional misconduct,” to “ insurance to cover actual or alleged professional misconduct,”
12. Changes “University for a claim it has already paid.” to “University for a claim the subcontractor’s insurance company has already paid.”
13. Changes “DOE Contractor Orders,” to “DOE M&O Contractor Orders,”
14. Changes “Laboratory Counsel should be consulted on any request by a subcontractor” to “Laboratory Counsel should be consulted on any request for a special subcontract provision from a subcontractor”
15. Adds “Prime Contract Clause 1.98 – Insurance – Litigation and Claims” to References